

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA, §
Plaintiff, §
§
v. § CIVIL ACTION NO.
§
\$16,000.00 IN U.S. CURRENCY, §
Defendant in rem. §

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against approximately \$16,000.00 in U.S. currency, Defendant in rem, and alleges the following.

Nature of the Action

1. This is an action to forfeit property to the United States pursuant to 31 U.S.C. §5317(c)(2).

Defendants in Rem

2. Defendants in rem are approximately \$16,000.00 in U.S. currency that was seized at the George Bush Intercontinental Airport in Houston, Texas, from Maria Eugenia Baclini on February 26, 2010.

Jurisdiction and Venue

3. This Court has jurisdiction pursuant to 28 U.S.C. §1335 because this is an

action for forfeiture.

4. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1335 and 1335(a) and (b) because the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas, the property was found and is located in the Southern District of Texas, and this forfeiture action accrued in the Southern District of Texas.

Basis for Forfeiture

5. The Defendants in rem are subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2) which provides that any property involved in violations of 31 U.S.C. §§ 5316 and 5324 may be forfeited to the United States. Under 31 U.S.C. § 5316(a)(1)(B), a person shall file a report when they knowingly transport a monetary instrument of more than \$10,000 into the United States. Under 31 U.S.C. § 5324(c)(2) no person shall, for the purpose of evading the reporting requirements of section 5316, file a report required by section 5316, or cause or attempt to cause a person to file such a report that contains a material omission or misstatement of fact. Under 31 U.S.C. § 5312(a)(3)(A), United States currency is a monetary instrument.

Facts

6. On February 26, 2010, Maria Eugenia Baolini arrived at the George Bush

Intercontinental Airport in Houston, Texas, aboard Continental Airlines flight 52 from Buenos Aires in transit to Hong Kong, China. She was traveling with Diego Aronna. During a routine customs inspection, she verbally told U. S. Custom and Border Protection Officer (CBP Officer) that she was only transporting in and out of the United States \$10,000.00. She also stated this in a report of international transportation of currency or monetary instrument, FINCEN 105 form, that she was only transporting into and out of the United States \$10,000.00.

7. The CBP Officers conducted an inspection of Ms. Baclini and found that she was carrying approximately \$16,109.00 in U.S. currency. These funds were found in her purse and small bags inside her pants. The CBP Officers seized \$16,000.00 for forfeiture.

Relief Requested

8. Plaintiff requests:

a. Arrest Warrants and summons, citing all persons having an interest in the Defendants property to appear on the return day of process by filing a claim and answer pursuant to Rule G(5), Supplemental Rules for Certain Admiralty and Maritime Claims, or as ordered by this Court,

b. A judgment of forfeiture, and

c. Costs and other relief to which the Plaintiff may be entitled.

Date March 23, 2010.

Respectfully submitted,

José Angel Moreno
United States Attorney

By: /s/ Albert Ratliff
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VERIFICATION

I, Deanna Overholt, Senior Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this Verified Complaint for Forfeiture in Rem, and the facts stated in this complaint are true and correct to the best of my knowledge and belief.

Executed on March 23, 2010.

D. Overholt

Deanna Overholt, Senior Special Agent
U. S. Immigration and Customs Enforcement